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906- WP-3750-2025

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

906 WRIT PETITION NO. 3750 OF 2025

Limbaji Ramrao Kupanwar And Others

VERSUS

The State Of Maharashtra Through The Secretary And Others
AND

907 WRIT PETITION NO. 3774 OF 2025

Limbaji Ramrao Kupanwar And Others

VERSUS

The State Of Maharashtra Through The Secretary And Others

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Mr. Anant Ramahari Devakate, Advocate for the Petitioner

Mr. K. B. Jadhavar, AGP for Respondent-State.

Mr. Pandurang V. Shinde, Advocate for Respondent No.5.

Mr. S. G. Kawade, Advocate for respondent No.6.

CORAM : KISHORE C. SANT, J.

DATE : 27th MARCH 2025

PC :-

1. Heard the learned Advocate for the parties.
2. The petitioners have challenged Clause No.3 of the order dated 17th February 2025 passed by the learned Divisional Commissioner, Chhatrapati Sambhajinagar. By way of said clause, the Tahsildar, Block Development Officer and Deputy Superintendent of Land Record, Selu

Dist. Parbhani are directed to measure the land which is allegedly encroached upon by the petitioner by forming a committee. This order is passed while deciding the stay application filed by the Respondent No.6.

3. The grievance of the petitioner is that, while passing the order on stay application, no such order could have been passed. Though this Court finds that, the order is inappropriate. However, today at the bar, learned Advocate Mr. Kawade appearing for the Respondent No.6 informs that the measurement has already taken place. This Court keep it open for the authorities to decide as to whether the measurement be looked into or not depending upon the merits and hearing the parties. All contentions are kept open to be decided by the Divisional Commissioner while deciding the Appeal.

4. With this, Writ petition stands disposed off.

5. All contentions are kept open.

6. Appeal be decided within six week from today.

[KISHORE C. SANT, J.]